

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MARTIN RESOURCE MANAGEMENT
CORPORATION,

Plaintiff,

V.

AXIS INSURANCE COMPANY, and
ARCH INSURANCE COMPANY.

Defendants.

Civil Action No. 6:12-cv-00758

JURY DEMANDED

**MARTIN RESOURCE MANAGEMENT CORPORATION
AND ARCH INSURANCE COMPANY'S
JOINT MOTION TO DISMISS WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41, Plaintiff Martin Resource Management Corporation (“MRMC”) and Defendant Arch Insurance Company (“Arch”) file this joint motion to dismiss with prejudice and respectfully show as follows:

MRMC and Arch have signed a Confidential Settlement Agreement and Release to resolve their differences.

MRMC and Arch therefore request that any and all claims and counter-claims they have asserted against each other be dismissed with prejudice.

MRMC and Arch further request that the Court retain continuing jurisdiction as necessary to enforce the Confidential Settlement Agreement and Release between MRMC and Arch.

This motion does not affect MRMC's claims against any other defendant.

WHEREFORE, MRMC and Arch respectfully request that the Court grant this motion and dismiss any and all claims they have asserted against each other.

Respectfully submitted,

BECK REDDEN LLP

/s/ David W. Jones

David W. Jones
Texas State Bar No. 00790980
Marcos Rosales
Texas State Bar No. 24074979
BECK REDDEN LLP
1221 McKinney St., Suite 4500
Houston, Texas 77010
(713) 951-3700 (Ph.)
(713) 951-3720 (Fax)
djones@beckredden.com
mrosales@beckredden.com
ATTORNEYS FOR PLAINTIFF

BATES CAREY LLP

/s/ Cory M. Figiel

Robert J. Bates, Jr.
Ommid C. Farashahi
Michael T. Skoglund
Cory M. Figiel
Admitted Pro Hac Vice
BATES CAREY NICOLAIDES LLP
191 N. Wacker, Suite 2400
Chicago, IL 60606
(312) 762-3100 (Ph.)
(312) 762-3200 (Fax)
rbates@bcnlaw.com
ofarashahi@bcnlaw.com
mskoglund@bcnlaw.com
cfigiel@bcnlaw.com

John F. Bufe
Texas State Bar No. 03316930
Doug McSwane
Texas State Bar No. 13861300
POTTER MINTON
110 North College
500 Plaza Tower
Tyler, Texas 75702
(903) 597-8311 (Ph.)
(903) 593-0846 (Fax)
dougmcswane@potterminton.com
ATTORNEYS FOR DEFENDANT
ARCH INSURANCE COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2014, I electronically filed the foregoing with the Clerk of the Court for the U.S. District Court, Eastern District of Texas, using the ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ David W. Jones

David W. Jones